

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Conspiracy to Possess with the Intent to Distribute (Cocaine)

Beginning on or about 1 March 2006, and continuing up to and including the date of the return of the indictment, in the Southern District of Texas, and elsewhere,

**JOEY HERRERA,
LEO PEREZ (aka Freeze)(aka Rojo),
GABRIEL PONCE (aka Gabe),
RIGOBERTO RODRIGUEZ (aka Bert)(aka Rigo),
DEMETRIO GONZALEZ (aka D),
JEROME BELL (aka Jody),
REGINO GARCIA (aka Reggie),
REGINALD THORNTON (aka Ice),
PEDRO ARIZOLA,
DAVID FLORES,
SERGIO PEREZ,
BENJAMIN ROSALES,
JOSE LOPEZ,
RENE GARZA,
ROBERT CANSECO (aka Bobby)(aka Bob),
SONNY MENDEZ (aka Nacho),
DIEGO CAVAZOS, and
JUAN GUAJARDO (aka Juanillo)**

defendants herein, did unlawfully, knowingly, and intentionally, combine, conspire, confederate, and agree with each other and others, known and unknown to the Grand Jury, to possess with the intent to distribute a controlled substance. This violation involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A)(ii).

COUNT TWO
Possession with the Intent to Distribute (Cocaine)

On or about 3 April 2006, in the Southern District of Texas,

JOEY HERRERA, and
GABRIEL PONCE (aka Gabe),

defendants herein, aiding, assisting, and abetting each other and others, known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally possess with the intent to distribute a controlled substance. This violation involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(ii), and 18 U.S.C. § 2.

COUNT THREE

Possession with the Intent to Distribute (Cocaine)

On or about 4 April 2006, in the Southern District of Texas,

REGINALD THORNTON (aka Ice), and
FREDERICK TIPPETT,

defendants herein, aiding, assisting, and abetting each other and others, known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally possess with the intent to distribute a controlled substance. This violation involved 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B)(ii) and 18 U.S.C. § 2.

COUNT FOUR

Possession with the Intent to Distribute (Cocaine)

On or about 18 April 2006, in the Southern District of Texas,

JOEY HERRERA, and
RIGOBERTO RODRIGUEZ (aka Bert)(aka Rigo),

defendants herein, aiding, assisting, and abetting each other and others, known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally possess with the intent to distribute a controlled substance. This violation involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A)(ii) and 18 U.S.C. § 2.

COUNT FIVE

Possession with the Intent to Distribute (Cocaine)

On or about 9 June 2006, in the Southern District of Texas,

JOEY HERRERA,
RIGOBERTO RODRIGUEZ (aka Bert)(aka Rgio), and
REGINO GARCIA (aka Reggie),

defendants herein, aiding, assisting, and abetting each other and others, known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally possess with the intent to distribute a controlled substance. This violation involved 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B)(ii) and 18 U.S.C. § 2.

NOTICE OF CRIMINAL FORFEITURE

Pursuant to 21 U.S.C. § 853 – as a result of the commission of a violation of 21 U.S.C. §§ 846, 841(a)(1), & 841(b)(1) – notice is given that the defendant(s):

**JOEY HERRERA,
LEO PEREZ (aka Freeze)(aka Rojo),
GABRIEL PONCE (aka Gabe),
RIGOBERTO RODRIGUEZ (aka Bert)(aka Rigo),
DEMETRIO GONZALEZ (aka D),
JEROME BELL (aka Jody),
REGINO GARCIA (aka Reggie),
REGINALD THORNTON (aka Ice),
PEDRO ARIZOLA,
DAVID FLORES,
SERGIO PEREZ,
BENJAMIN ROSALES,
JOSE LOPEZ,
RENE GARZA,
ROBERT CANSECO (aka Bobby)(aka Bob),
SONNY MENDEZ (aka Nacho),
DIEGO CAVAZOS,
JUAN GUAJARDO (aka Juanillo), and
FREDERICK TIPPETT,**

shall forfeit to the United States of America-

- (1) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of any such violation; and
- (2) any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violation.

Including, but not limited to:

- (1) approximately \$118,000.00 in U.S. currency, seized on or about 8 April 2006;
- (2) approximately \$2,200,000.00 in U.S. currency, seized on or about 10 May 2006;
- (3) real property, with improvements and appurtenances located at 1119 Jocelyn, Houston, Texas 77023 and legally described as Lot 6, Block 2 of Lawn Terrace Addition, a subdivision in Harris County, Texas;

- (4) real property, with improvements and appurtenances located at 7180 Fauna, Houston, Texas 77061 and legally described as Lot 1, Block Two 2 of Robin Hood Poultry Farms, an addition in Harris County, Texas;
- (5) real property, with improvements and appurtenances located at 6435 Lawndale, Houston, Texas 77023 and legally described as Lot 21 in Block 2 of Houston Country Club Place, First Section, a subdivision in Harris County, Texas; and
- (6) real property, with improvements and appurtenances located at 9040 Ledge Street, Houston, Texas 77075 and legally described as Lots 14 and 15, in Block 39 of Easthaven, a subdivision in Harris County, Texas.

In the event that the property which is subject to forfeiture to the United States, as a result of any act or omission of the defendant:

- (1) cannot be located upon exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

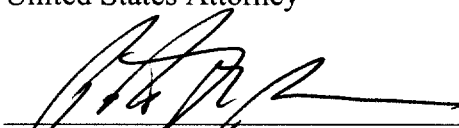
it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of such property, pursuant to 21 U.S.C. § 853 (p)(2).

original signature on file

FOREPERSON OF THE GRAND JURY

DONALD J. DeGABRIELLE, JR.
United States Attorney

By:


PETER MASON
Assistant United States Attorney
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